

**U.S. DEPARTMENT OF COMMERCE  
CHARTER OF THE  
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
NATIONAL CONSTRUCTION SAFETY TEAM ADVISORY COMMITTEE**

**ESTABLISHMENT:**

In accordance with the requirements of Section 11 of the National Construction Safety Team Act (P. L. 107-231), hereinafter referred to as the Act, the Secretary of Commerce hereby establishes the National Construction Safety Team Advisory Committee, hereinafter referred to as the Committee, pursuant to the Federal Advisory Committee Act, 5 USC App. 2.

**OBJECTIVES AND DUTIES:**

The Committee will act in the public interest to:

1. Advise the Director of the National Institute of Standards and Technology, hereinafter referred to as NIST, on carrying out the Act by:
  - a. Providing advice on the functions of National Construction Safety Teams, hereinafter referred to as Teams, as described in section 2(b)(2) of the Act.
  - b. Providing advice on the composition of Teams under section 3 of the Act.
  - c. Providing advice on the exercise of authorities enumerated in sections 4 and 5 of the Act.
  - d. Providing such other advice as necessary to enable the Director to carry out the Act.
2. Review and provide advice on the procedures developed under section 2(c)(1) of the Act.
3. Review and provide advice on the reports issued under section 8 of the Act.
4. Function solely as an advisory body, in accordance with the provisions of the Federal Advisory Committee Act.

**MEMBERS AND CHAIRPERSON:**

1. The Director of NIST shall appoint the members of the Committee, and they will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance. Members shall be selected on the basis of established records of distinguished service in their professional community and their knowledge of issues affecting the National Construction Safety Teams. Members shall serve as Special Government Employees. Members serve at the discretion of the NIST Director.

2. Members shall reflect the wide diversity of technical disciplines and competencies involved in the National Construction Safety Teams investigations. Members will be drawn from industry and other communities having an interest in the National Construction Safety Teams investigations, such as, but not limited to, universities, state and local government bodies, non-profit research institutions, and other Federal agencies and laboratories.
3. The Committee shall consist of not fewer than 5 nor more than 10 members. The term of office of each member of the Committee shall be three years, except that vacancy appointments shall be for the remainder of the unexpired term of the vacancy and that the initial members shall have staggered terms such that the committee will have approximately 1/3 new or reappointed members each year. Members who are not able to fulfill the duties and responsibilities of the Committee will have their membership terminated.
4. Any person who has completed two consecutive full terms of service on the Committee shall be ineligible for appointment for a third term during the one year period following the expiration of the second term.
5. The Director of NIST shall appoint the Chair from among the members of the Committee. The Chair's tenure shall be at the discretion of the Director of NIST.

#### **ADMINISTRATIVE PROVISIONS:**

1. The Committee shall report to the Director of NIST.
2. The Designated Federal Officer will be designated from within the Office of the Director of the Building and Fire Research Laboratory (BFRL). BFRL will provide staff support for the Committee.
3. The Committee shall meet at least once per year at the call of the Chair. Additional meetings may be called whenever one-third or more of the members so request it in writing or whenever the Chair or the NIST Director requests a meeting.
4. Members of the Committee shall not be compensated for their services, but will, upon request, be allowed travel and per diem expenses in accordance with 5 U.S.C. 5701 et seq., while attending meetings of the Committee or subcommittees thereof, or while otherwise performing duties at the request of the Chair, while away from their homes or regular places of business.
5. The Committee shall provide an annual report through the Director of BFRL and the Director of NIST, to the Secretary of Commerce for submission to the Committee on Science of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate, to be due at a date to be agreed upon by the Committee

and the Director of NIST. Such report will provide an evaluation of National Construction Safety Team activities, along with recommendations to improve the operation and effectiveness of National Construction Safety Teams; and an assessment of the implementation of the recommendations of the National Construction Safety Teams and of the Committee. In addition, the Committee may provide reports at strategic stages of an investigation, at its discretion or at the request of the Director of NIST, through the Director of the BFRL and the Director of NIST, to the Secretary of Commerce, to be due on dates to be agreed upon by the Committee and the Director of NIST.

6. The Committee may establish subcommittees subject to the provisions of the Federal Advisory Committee Act and the Department of Commerce *Committee Management Handbook*. Subcommittee members shall be selected from the parent committee.

7. The annual cost of operating the Committee is estimated at \$175,000, which includes 0.5 work years of staff support.

8. The Committee shall not act in the absence of a quorum, which shall consist of a simple majority of the members of the Committee not having a conflict of interest in the matter being considered by the Committee, except that, if the number of members on the Committee is even, half will suffice.

9. NIST will report to the Committee actions taken in response to recommendations by the Committee.

#### **DURATION:**

This charter shall terminate two years from the date of the filing of this charter with the appropriate U.S. Senate and House of Representatives Oversight Committees unless earlier terminated or renewed by proper authority.

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Chief Financial Officer and  
Assistant Secretary for Administration

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Date